

Attorney Docket No. 1322.0040C

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Durward I. Faries, Jr. et al.

Serial No.:

10/016,128

Examiner:

Unknown

Confirmation No.: 4172

Art Unit:

3763

Filed:

December 17, 2001

For:

Method and Apparatus for Heating Solutions Within Intravenous Lines to Desired

Temperatures During Infusion

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

RECEIVED

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INFORMATION DISCLOSURE STATEMENT NOLOGY CENTER R3700 UNDER 37 C.F.R. §1.97(b)

Pursuant to the duty imposed by 37 C.F.R. §1.56 to disclose information which may be material to the patentability of the above-identified patent application, the Applicant(s) would like to direct the Examiner's attention to the documents listed on the enclosed Information Disclosure Citation Form (PTO/SB/08). In accordance with this duty of disclosure, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

\boxtimes	Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
	The subject Information Disclosure Statement is being filed without copies of the listed U.S. Patents and/or U.S. patent application publications pursuant to the waiver of the requirement under 37 C.F.R. §1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of the listed foreign patent documents and/or non-patent literature are enclosed herewith.
	No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No to which the above-identified application claims priority under 35 U.S.C. §120.

		in a for	ation(s) listed on the attached Form PTO/SB/08A were cited reign search or examination report corresponding to attion serial no and mailed on				
		§609 o	ed is a copy of a non-English publication(s) Pursuant to f the M.P.E.P., Applicant submits the attached foreign search or nation report, which cites such non-English language publication(s).				
		Enclosed is a copy of a non-English publication(s) English publication (copy enclosed) claims priority from English publication.					
		ed is an explanation of non-English publication(s) for which glish translation is not available.					
		Enclosed is an English translation of non-English publication(s)cited in the attached Form PTO/SB/08A.					
		Enclos	sed is a copy of pending patent Application Serial No				
ime po	This Ir	nformati	ion Disclosure Statement is filed within any one of the following				
			within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);				
			within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;				
		\boxtimes	before the mailing date of a first office action on the merits; or				
			before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.				

The Commissioner is hereby authorized to charge payment of any fees required for the above-identified application or credit any overpayment to Deposit Account No. 05-0460.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application.

Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

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It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: 1/2/2004

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Respectfully submitted by

EDELL, SHAPIRO & FINNAN, LLC

By:

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known					
10/016,128					
December 17, 2001					
Faries, Jr. et al					
3763					
Unknown					
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	10/016,128 December 17, 2001 Faries, Jr. et al 3763 Unknown				

	U.S. PATENT DOCUMENTS							
	Cite No.1	U.S. Paten	t Document		Date of Publication of Cited			
Examiner Initials*		Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Document MM-DD-YYYY			
	1	6,045,648		Palmgren, et al.	04-04-2000			
		6,660,974		Faries, Jr. et al.	12-09-2003			
		6,722,782		Faries, Jr. et al	04-20-2004			
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document			Name of Datastas on Applicant of Cited	Date of Publication	
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.